

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

**KENNEDY MINNIFIELD,**

:

**Petitioner,**

:

**v.**

: CIVIL ACTION 07-00492-WS-B

**GRANTT CULLIVER,**

:

**Respondent.**

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. §636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **DISMISSED** due to Petitioner's failure to comply with 28 U.S.C. § 2244(b)(3)(A).

**DONE** this 27<sup>th</sup> day of February, 2008.

s/WILLIAM H. STEELE

UNITED STATES DISTRICT JUDGE